

FILED

APR 11 2013

**New Jersey State Board of
Massage and Bodywork
Therapy Examiners**

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MASSAGE AND BODYWORK
THERAPY

IN THE MATTER OF THE
APPLICATION OF

SHUNJI PIAO

TO PRACTICE MASSAGE AND
BODYWORK THERAPY IN THE
STATE OF NEW JERSEY

FINAL ORDER OF
DENIAL OF CERTIFICATION/
LICENSURE

This matter was opened to the Massage, Bodywork and Somatic Therapy Examining Committee (the Committee) upon receipt of information which the Board of Massage and Bodywork Therapy¹ has reviewed and the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Shunji Piao submitted an application for certification to the Committee dated August 18, 2011.
2. Ms. Piao's application disclosed an arrest in 2008 on charges of prostitution, which led to a conviction on March 5,

¹ The Board replaced the Committee on September 4, 2012, pursuant to P.L. 2007, c. 377, "The Massage and Bodywork Therapy Licensing Act."

2008 in Bloomfield of prowling in public places - CDS related.

The relevant records indicate that Ms. Paio is never to apply to Bloomfield for licensure to perform massage. Ms. Piao provided a brief narrative statement describing her arrest.

3. In a letter dated April 27, 2012, Ms. Paio was asked to provide transcripts of sentencing relating to the conviction, as well as a more detailed narrative statement setting forth the facts and circumstances that led to her arrest.

4. Ms. Piao's attorney indicated that the transcripts of sentencing are not available from Bloomfield, but no detailed narrative statement was provided indicating the facts and circumstances that led to the arrest. The fact that Ms. Piao was convicted of violation of N.J.S. 2C:33-2(a)(1) is not adequately explained by Ms. Paio's narrative statement.

CONCLUSIONS OF LAW

1. Ms. Paio's failure to provide an adequate explanation of the conduct that led to her arrest and conviction constitutes a failure to cooperate within the intendment of N.J.A.C. 13:45C-1.2, -1.3, as well as deception within the intendment of N.J.S.A. 45:1-21(b), whether or not respondent recalls the plea allocution.

2. The conduct to which Ms. Piao pled guilty relates adversely to the practice of massage and bodywork therapy within the intendment of N.J.S.A. 45:1-21(f).

Based on the foregoing findings and conclusions, a Provisional Order of Denial of Certification/Licensure was entered on January 18, 2013, provisionally denying Ms. Piao's application for certification, deemed to constitute an application for licensure as of September 4, 2012. A copy of the Order was forwarded to the applicant's attorney by certified and regular mail. The Provisional Order was subject to finalization by the board at 5:00 p.m. on the 30th business day following entry unless the applicant requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all written evidence supporting the applicant's request for consideration and reasons therefor.

Although the record reflects that the certified mailing of the Provisional Order was signed for, and the regular mailing was not returned, no response has been received to date. The Board determined that service had been effected. The Board further found that inasmuch as no discrepancies had been raised with respect to the Findings of Fact and Conclusions of Law of the Provisional Order, additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY,

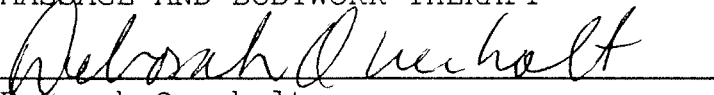
IT IS on this 11th DAY of April, 2013,

ORDERED that:

1. Ms. Piao's application for certification as a Massage, Bodywork and Somatic Therapist in New Jersey, deemed as of September 4, 2012 to constitute an application for licensure, is hereby denied.

NEW JERSEY STATE BOARD OF
MESSAGE AND BODYWORK THERAPY

By:


Deborah Overholt
Chairperson